

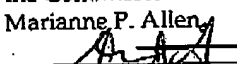
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Bevilacqua, et al Atty Docket: 2331/112
Serial No.: 09/821,850 Art Unit: 1631
Date Filed: March 21, 2001 Examiner: Allen, M. P.
Invention: Systems and Methods for Date: May 16, 2002
 Characterizing a Biological Condition
 Or Agent Using Calibrated Gene
 Expression Profiles

#111A
Plunkett
6/10/02

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the attached Preliminary Amendment is being transmitted by facsimile to the Commissioner for Patents, Washington, D.C. 20231, at 703-746-5233, to the attention of Examiner Marianne P. Allen.


Bruce D. Sunstein

Commissioner for Patents
Washington, DC 20231

PRELIMINARY AMENDMENT

Dear Sir:

Please cancel claims 36-42 and 156-163, and add new claims 167-174 as follows:

167. A method, for evaluating a biological condition of a subject, based on a sample from the subject, comprising:

 deriving from the sample a profile data set, the profile dataset including a plurality of members, each member being a quantitative measure of the amount of a distinct RNA or protein constituent in a panel of constituents selected so that measurement of the constituents enables evaluation of the biological condition; and